

March 16, 2015

Lafayette Consolidated Government

# Unified Development Code



---

## Contents

Article 5.	Use Standards .....	2
89-72	Generally .....	2
89-73	Accessory Buildings & Uses .....	3
89-74	Accessory Apartments .....	4
89-75	Adaptive Reuse .....	4
89-76	Auto and Truck Repair .....	6
89-77	Bed & Breakfast .....	6
89-78	Car Wash .....	7
89-79	Cemeteries .....	8
89-80	Drive-Through Facilities .....	8
89-81	Garages / Carports .....	10
89-82	Gasoline or Diesel Fuel Sales .....	11
89-83	Home Occupations .....	12
89-84	Housing Types .....	14
89-85	Junkyards .....	16
89-86	Manufactured Homes / Mobile Homes / Trailers .....	18
89-87	Pipelines / Railroad Rights of Way .....	23
89-88	Swimming Pools .....	23
89-89	Self-Service Storage .....	24
89-90	Signs .....	24
89-91	Solid Waste .....	40
89-92	Temporary Uses .....	41
89-93	Truck Stop .....	44
89-94	Wireless Communications .....	45

## Article 5. Use Standards

### 89-72 Generally

- (a) This Article establishes standards for certain uses. These standards may –
- (1) Supplement the standards in the applicable zoning district (Article 2) or development standards (Article 3), or
  - (2) Supersede the standards in Articles 2 or 3, where indicated.
- (b) This Article applies regardless of the zoning district where the use is located or whether the use is permitted by right or as a conditional use, unless otherwise indicated in this Article.
- (c) This Article applies only to the City of Lafayette, unless otherwise indicated. The following summarizes the applicability of each section to the City and the unincorporated Parish:

Applicability of Sections		City	Unincorporated Parish
89-72	Accessory Buildings & Uses	■	
89-73	Accessory Apartments	■	
89-74	Adaptive Reuse	■	
89-75	Auto and Truck Repair	■	
89-76	Bed & Breakfast	■	
89-77	Car Wash	■	
89-78	Cemeteries	■	
89-79	Drive-Through Facilities	■	
89-80	Garages / Carports	■	■
89-81	Gasoline or Diesel Fuel Sales	■	
89-82	Home Occupations	■	
89-83	Housing Types	■	
89-84	Junkyards	■	■
89-85	Solid Waste	■	■
89-86	Manufactured Homes / Mobile Homes / Trailers	■	■
89-87	Pipelines / Railroad Rights of Way	■	■
89-88	Swimming Pools	■	■
89-89	Self-Service Storage	■	
89-90	Signs	■	
89-91	Temporary Uses	■	
89-92	Truck Stop	■	
89-93	Wireless Communications	■	

- (d) The uses listed in this Article are defined in § 89-21 (Use Table), unless otherwise indicated. Each section applies to the use listed in the section heading, and as described in the cross-reference or applicability section (for uses or situations not listed in the Use Table). Each use has a cross-reference to the Use Table as follows:

⇔ **Use Category (§ 89-21 Use Table):** *Category 1 – Category 2*

*Where: Category 1 = The main category in the Use Table (e.g., Residential, Commercial / Mixed Use, etc.)*

*Category 2 = The secondary category in the Use Table (for example, “Vehicles/Equipment” under the “Commercial / Mixed Use” main heading)*

*Category 3 = the specific listed use (for example, “Car Wash” under “Vehicles/Equipment”)*

*If only a Category 1 or Category 2 use is listed, the section applies to all uses in that category. For example,*  
⇔ **Use Category (§ 89-21 Use Table):** **Accessory** *means that the section applies to all uses listed under the “Accessory” category in the Use Table.*

- (e) Some sections in this Article apply to development situation or building / site features that are not a “use.” Examples are Adaptive Reuse (89-75), Garages (89-81), or Drive-Through Facilities (89-80). These apply to any use, unless otherwise indicated.

## 89-73 Accessory Buildings & Uses

⇔ **Use Category (§ 89-21 Use Table):** **Accessory**

**(a) Applicability.**

- (1) This section applies to the City of Lafayette.
- (2) This section applies generally to all accessory buildings or uses on a site.
- (3) Other Sections of this Article also regulate accessory buildings or uses (such as accessory apartments (89-74), drive-through facilities (89-80), garages (89-81), home occupations (89-83), pools (89-88), and signs (89-90)). Those sections supersede this section, but only to the extent that they are inconsistent with this section.
- (4) Article 3, § 89-38(e)(4)(allowing projections into required setbacks) supersedes this section to the extent of any inconsistency.

**(b) Detached Accessory Buildings**

- (1) Detached buildings accessory to residential use have **no maximum area** if they are setback at least:
  - a. 20 feet from the front property line and no closer to the front property line than the front wall(s) of the principal structure;
  - b. At least 5 feet from the side lot line; and
  - c. On corner lots, the distance of the principal structure from any street; and
  - d. 10 feet from the rear property line.

- (2) Only 1 detached accessory building may encroach on the setbacks established in subsection (1) above, if that building:
- a. Is located no closer to the front property line than the rear wall of the principal structure;
  - b. Does not exceed the gross floor area of either 1 or 2 below, whichever is less:
    - 1.  $\text{Rear lot width} \times \text{required rear setback} \times 40\% =$   
maximum allowable area of the detached accessory building, or
    - 2. 600 square feet.
  - c. Is located at least 3 feet from either property line.
  - d. On corner lots, is located no closer to any street than the principal structure.
- (c) **Attached Accessory Uses or Building.** A building or use that is attached to the principal building is considered part of the principal building for purposes of applying the setback requirements.

## 89-74 Accessory Apartments

⇔ *Use Category (§ 89-21 Use Table): Residential – Residences – Accessory Apartment*

- (a) **Applicability.** This section applies to the City of Lafayette.
- (b) Only 1 **accessory apartment** is allowed per lot.
- (c) **Maximum area** is the lesser of –
  - a. **25 percent** of the gross floor area of the principal dwelling unit, or
  - b. **1,000** square feet.
- (d) An accessory apartment may **not be sold separately** from the principal dwelling unit but may be rented.
- (e) An accessory apartment must meet the **minimum setback requirements of the principal structure.**
- (f) An accessory apartment located in a detached structure constructed after the effective date of this section requires a **building permit**. The building permit application shall include a scaled site plan showing the lot, the gross floor area and dimensions of the principal building, and the location, setbacks, gross floor area, and floor plan of the accessory apartment.

## 89-75 Adaptive Reuse

⇔ *Use Category: Any*

*Purpose: This section implements Policy 4.2 of the Comprehensive Plan by providing flexibility in adapting existing structures to new uses over time, in recognition that neighborhoods and land uses do not remain static.*

**(a) Applicability**

- (1) This section applies to the City of Lafayette.
- (2) For purposes of this section, “adaptive reuse” means the rehabilitation or expansion of an existing building (as qualified by subsection (3) below) in a manner that complies with current building code standards.
- (3) This section applies the use or occupancy of a building that lawfully existed before the effective date of this Code, if the building –
  - a. Has been vacant for at least 2 years, and is located in a designated historic structure, or an historic district, or
  - b. Was constructed at least 50 years before the effective date of this Chapter, or
  - c. Is vacant, uninhabitable, and hazardous to persons and property because of its physical condition, as determined by the Administrator, or
  - d. Has been declared or certified blighted pursuant to a redevelopment plan, or is listed on a blighted housing list as provided in RS 40:600:34 or 40:600:35, or
  - e. Has been declared to be a public nuisance by a court of competent jurisdiction.
- (4) This Section does not apply to:
  - a. New construction.
  - b. Change of non-conforming uses, unless the existing use is located in a structure that qualifies under subsection (3) and was lawful when it was established.

**(b) Standards.**

- (1) In order to qualify for the regulatory incentives established in subsection (c) below, an adaptive reuse must either –
  - a. Retain the existing bulk, height and lot configurations of the existing structure and lot, or
  - b. If the building is expanded or relocated on the lot:
    1. Meet the rear and side setback requirements of the district;
    2. Meet up to 50% of the off-street parking requirements;
    3. If the existing building is set back at least 20 feet from the front property line, meet the frontage landscaping requirements; and
    4. The building footprint and height may expand –

- A. by up to 20%, or
- B. by up to 50% if authorized by a conditional use permit.

- (2) If the building is located in the RS, RM, MN, MX, D, or CM districts, the front façade shall at least maintain the percentage of windows and entryways after the building is rehabilitated.
- (3) The building subject to adaptive reuse must obtain a building permit under the standards in effect at the time of application, including any reduced standards adopted by LCG for existing buildings.

**(c) Incentives**

An adaptive reuse qualifies for the following regulatory incentives:

(A) Incentive	(B) Existing Building Rehab (see subsection (b)(1)a above)	(C) Expansion (see subsection (b)(1)b above)
<b>Building Height</b> (§ 89-27)	Existing building height considered permitted and not nonconforming.	In addition to Column (B), any expansion must comply with subsection (b)(1)4 above.
<b>Landscaping</b> (§ 89-36)	No additional landscaping is required. Additional landscaping is maintained.	Frontage landscaping is required. No additional landscaping is required.
<b>Parking and Loading</b> (§ 89-39)	Existing parking and loading spaces shall be maintained, or may decrease where allowed by Article 3. No additional spaces are required.	For existing building space, Column (B) applies. Parking space requirements are reduced by 50% for any expansion, provided the total number of parking spaces existing prior to the expansion is not reduced.
<b>Common Open Spaces and Civic Spaces</b> (§ 89-40)	No common open spaces or civic spaces are required.	No common open spaces or civic spaces are required.
<b>Stormwater management</b> (§ 89-43)	If impervious surfaces on the site do not increase, no additional stormwater improvements are required.	Same as Column (B). The stormwater management requirements of Article 3 apply to any expansion of impervious surfaces.

## 89-76 Auto and Truck Repair

⇔ *Use Category (§ 89-21 Use Table): Commercial / Mixed Use – Vehicles/Equipment – Auto and truck repair*

- (a) **Applicability.** This section applies to the City of Lafayette.
- (b) No Auto and truck repair use is permitted within **50 feet of an “RS” or “RM”** zoning district.

## 89-77 Bed & Breakfast

⇔ *Use Category (§ 89-21 Use Table): Lodging / Short-Term Rental – Bed and breakfast*



(a) **Applicability.** This section applies to the City of Lafayette. The owner/proprietor must live in the principal structure and the Bed and Breakfast facility use shall be secondary to the principal use of the dwelling for residential purposes.

(b) **Historic Significance.** The structure where the bed and breakfast is established must be –

- (1) Defined as any residential structure designated as a landmark by the Lafayette Preservation Commission, or
- (2) Listed on the National Register of Historic Places.

⇔ *See Article 3, § 89-34 (Historic Preservation)*

(c) **Guest Rooms Limited to Existing Structures.** Only existing structures on the lot that have historic significance may be renovated to provide guest rooms.

(d) **Parking.** One parking space for each guest room shall be placed in the rear of the property and shall be screened from adjacent properties with a sight proof fence or dense vegetation providing adequate screening.

(e) **Signs.** Only 1 attached non-illuminated sign of up to 1 square foot in area is permitted. The sign shall be attached to the building.

(f) **Meals.**

- (1) Meals shall be served to overnight guests only.
- (2) Guest rooms shall not contain cooking facilities.

(g) **Events.** Receptions or private parties for a fee on the premises of a bed and breakfast facility –

- (1) Are not allowed in an “RS” zoning district, and
- (2) Are allowed in any other zoning district.

(h) **Guests**

- (1) The owner shall maintain an accurate guest register showing the name, address, dates, and lengths of stay of guests. The guest register is subject to inspection by the Zoning Administrator.
- (2) The maximum length of stay for any guest is 14 days per calendar year.

## 89-78 Car Wash

⇔ *Use Category (§ 89-21 Use Table): Commercial / Mixed Use – Vehicles/Equipment – Car Wash*

(a) **Applicability.** This section applies to the City of Lafayette.



(b) Any open side of a car wash must be at least **25 feet** from any property line.

## 89-79 Cemeteries

⇔ *Use Category (§ 89-21 Use Table): Public/Civic/Institutional – Assembly- Cemetery / mausoleum*

(a) **Applicability.** This section applies to the City of Lafayette.

### (b) Generally

- (1) The property must be dedicated as a cemetery or mausoleum in accordance with state regulations.
- (2) Cemeteries and mausoleums are not considered accessory to churches or worship centers, and are therefore not allowed, in the “RS” and “RM” districts.

### (c) Fencing

- (1) A sight-proof fence shall be constructed around the entire site.
- (2) The fence shall be between 5 and 7 feet in height and made of masonry, wrought iron, or other durable material.
- (3) Sight-proof requirements may be replaced with different forms of fencing (i.e., wrought iron), if a minimum buffer yard type “A” is located between the fence and the property line.

⇔ *see Art. 3, § 89-36(g) for buffer requirements*

(d) **Required landscape strip.** A landscape strip is required within any required setback as follows:

Location	Minimum width
Front setback	20 feet
Side setback	5 feet
Rear setback	10 feet

- (1) The landscape strip shall consist only of lawns, trees, or shrubbery, and any driveways required for access to the property.
- (2) No structure of any kind is permitted within the required landscape strip.

(e) **Circulation.** The site shall have direct access to an arterial or collector street.

## 89-80 Drive-Through Facilities

⇔ *Use Category (§ 89-21 Use Table): Any*

### (a) Applicability.

- (1) This section applies to the City of Lafayette.

- (2) This section applies to any drive-through facility. A “drive-through facility” is a building or site feature designed to allow patrons to purchase goods or services from an automobile, and where the consumption or use may occur off premises.
- (3) This section applies to both –
  - a. **drive-in** service, where patrons may remain in their motor vehicles while being served, or
  - b. **drive-through** service, where customers are served through a window or other wall opening, door, or mechanical device while remaining in their motor vehicles, and may consume the products off the premises

**(b) Generally**

- (1) Drive-through facilities are subject to all applicable requirements of this Chapter (↔ *See Article 2; Article 3, § 89-26*).
- (2) The requirements or permissions for drive-through facilities do not supersede any requirements of this Chapter relating to minimum or maximum setbacks, landscaping or buffers, and building design.

**(c) Where Permitted.**

- (1) Drive-through facilities are allowed in the “MN,” “MX,” “D,” “CM,” “CH,” “IL,” “IH,” and “PD” districts in accordance with this section.
- (2) Drive-thru service windows for drug stores are permitted in “MN” zoning districts to dispense pharmaceutical products only.

**(d) Noise**

The following standards apply to drive-through facilities with a menu board:

- (1) Menu boards shall be located at least 50 feet from property zoned RS.
- (2) Speakers associated with menu boards shall be directed away from property zoned RS.
- (3) An opaque fence or Type A buffer shall be provided along adjacent property lines between order stations and property zoned RS.

**(e) Stacking Distance**

- (1) Drive-through facilities shall provide a minimum stacking length as provided in Table 89-79-1 (Drive-Through Stacking Length), below. The stacking lengths provided below are in addition to any aisle or parking space.

Table 89-80-1 Drive-Through Stacking Length

Type of Operation	Minimum Stacking Length
Car wash - self service, automatic	80 feet/bay at entrance, 20 feet/bay at exit
Dry cleaning	40 feet/window
Restaurant	80 feet to the menu board, 160 feet to first

	window
<b>Financial Institution with drive-up ATM</b>	40 feet/window or kiosk
<b>Financial Institution with drive-up teller</b>	80 feet/window or kiosk
<b>Gasoline or diesel fuel sales</b>	40 feet/pump
<b>Gated parking lot entrance</b>	20 feet/gate
<b>Pharmacy</b>	80 feet/window
<b>Other</b>	20 feet/window

- (2) The Administrator may waive or modify the standards above if the applicant presents a traffic study from a professional traffic engineer that justifies an alternative minimum stacking length.

#### (f) Urban Settings

The following conditions apply to the MN, MX, D and CM districts (a check mark [✓] indicates that the condition applies to the district; a blank cell indicates that the condition does not apply) –

Condition / Location	MN	MX	D	CM
<b>Legal Nonconformities</b>				
The drive-through is a legal nonconformity. A nonconforming drive-through may expand on the same lot if -	✓	✓	✓	✓
• The additional vehicle lanes and service windows are located entirely behind the principal building and are not visible from the sidewalk.	✓	✓	✓	
• Additional vehicle lanes are not added or widened at the frontage line or sidewalk.				✓
<b>New Drive-Through Facilities</b>				
A new drive-through facility must comply with one of the following conditions -				
• The drive-through facility is located on an interior lot, with all service windows located behind or to the side of the principal building.				✓
• The drive-through facility is located on an interior lot, with all service windows and vehicle lanes located behind or to the side of the principal building.	✓	✓		✓
• The drive-through facility is located on a “B” Street.		✓	✓	✓
• The drive-through facility is located at least 500 feet from another drive-through facility, and all service windows are located behind or to the side of the principal building.	✓	✓	✓	✓

## 89-81 Garages / Carports

⇔ *Use Category (§ 89-21 Use Table): Any*

#### (a) Applicability.

- (1) This subsection applies to garages and carports in the City of Lafayette and the unincorporated areas of the Parish that are not zoned.
- (2) These terms are defined below:

<b>Carport</b>	A permanent roofed structure open on at least two sides, designed for or occupied by private passenger vehicles.
<b>Garage</b>	An enclosed building or structure used or designed to be used to park and store vehicles.

**(b) Setbacks**

- (1) Minimum setbacks from a property line along a public street are:

Garage / Carport Orientation	Setback <i>(minimum)</i>	
	Garage / Carport	Dwelling Unit
<b>Perpendicular to the public street</b>	20 feet	10 feet or as determined by applicable zoning district, whichever is less
	20 feet S (MX, D districts only)	
<b>Parallel to the public street</b>	10 feet	As determined by zoning district, if applicable
	5 feet S (MX, D only)	

S = setback from front plane of the principal structure.

- (2) In all districts other than MX or D, the primary garage or carport may be detached and located in front of the principal structure subject to all minimum setback requirements.

**89-82 Gasoline or Diesel Fuel Sales**

⇔ *Use Category (§ 89-21 Use Table): Commercial / Mixed Use – Vehicles/Equipment – Gasoline or diesel fuel sales*

- (a) **Applicability.** This section applies to Gasoline or Fuel Sales Uses (⇔ § 89-21 Use Table), in the City of Lafayette.
- (b) **Canopies.** Open, unenclosed canopies located in the RM, MN, and CM zoning districts shall be setback at least 10 feet from all property lines.
- (c) **Gas pumps and/or fuel dispensers** shall be setback at least –
- (1) 20 feet from front property lines,
  - (2) 10 feet from all side and rear property lines, and
  - (3) On a corner lot, 20 feet from all property lines.
- (d) **Fuel Sales.** The following standards apply to the sale of gasoline or diesel fuel in the “CM” district:
- (1) The following are required along the property line of any RS or RM district:
    - a. A buffer, where required by Article 3, or

- b. If a buffer is not required, a sight-proof fence 6 feet in height and made of masonry or other durable material, including low maintenance wood.

(2) Servicing of vehicles is prohibited within 50 feet of an “RS” or “RM” district.

## 89-83 Home Occupations

⇔ *Use Category (§ 89-21 Use Table): Accessory – Home occupation*

☞ *Purpose: this section protects and maintains the residential character of established neighborhoods while recognizing that particular professional and limited business activities are traditionally and inoffensively carried on in the home.*

(a) **Applicability.** This section applies to –

- (1) any home occupation in the City of Lafayette,
- (2) that is located in the “A,” “RS,” or “RM” districts. Any permitted non-residential use is allowed in any other zoning district.

(b) **Permitted Home Occupations.**

- (1) Permitted home occupations are limited to those established in Table 89-82-1 below.
- (2) Uses allowed as a principal or accessory use in the applicable district in the Use Table (§ 89-21), other than residential child care facilities, are not subject to the requirements of this section.

**Table 89-83-1 Permitted Home Occupations**

(see § 89-21 for definition of permitted [P] and conditional [C] uses)

Use Category	“A” Agricultural	“RS” Single-Family Residential	“RM” Mixed Residential
<b>Commercial / Mixed Use</b>			
<b>Animal Services:</b>			
Animal hospital (indoor)	P		
Animal services, generally	P		
<b>Office, Business &amp; Professional:</b>			
Office (includes any -	P	P	P
• Studio or laboratory of an artist, craftsman, musician, photographer, seamstress, tailor, writer, or similar person, or			
• Office for an accountant, architect, attorney, broker, doctor, engineer, insurance agent, manufacturer's representative, realtor, sales representative, or similar profession.			
<b>Personal / Business services:</b>			
Courier, messenger and delivery services	P	P	P
Personal services	P	P	P
<b>Retail sales:</b>			
Nonstore retailers	P	P	P
<b>Vehicles / Equipment:</b>			

**Table 89-83-1 Permitted Home Occupations**

(see § 89-21 for definition of permitted [P] and conditional [C] uses)

Use Category	"A" Agricultural	"RS" Single-Family Residential	"RM" Mixed Residential
Auto and truck repair	C		
<b>Public/Civic/Institutional</b>			
<b>Day Care:</b>			
Child care facility, residential	P	P	P
<b>Educational:</b>			
Personal instructional services	P	P	P
<b>Medical:</b>			
Medical office or clinic	P	C	P
<b>Industrial / Production</b>			
<b>Manufacturing &amp; Employment:</b>			
Manufacturing, Light	P		

**(c) Location**

- (1) A home occupation, including any related equipment, materials, and supplies, shall be conducted solely within the dwelling unit.
- (2) No exterior storage of equipment, materials, or supplies is allowed in connection with the home occupation.

**(d) Area.** Home occupations, with the exception of residential child-care facilities, may occupy up to 10% of the gross floor area of the dwelling unit (excluding attached or detached garages and accessory buildings.)

**(e) Signs**

- (1) No advertising, display, or other exterior indications of a home occupation is allowed on the premises, other than one sign attached to the dwelling unit itself.
- (2) The sign shall be flat, non-illuminated, and shall not exceed one square foot in area.

**(f) Sales.** No sale of goods is allowed on the premises in connection with the home occupation.

**(g) Operations / Site Visits**

- (1) No more than 1 home occupation or business shall be conducted within any dwelling unit.
- (2) Services are limited to 1 client at a time.
- (3) No more than 10 customer or service visits are allowed per day.
- (4) No business shall be conducted and/or a home occupation open to the public earlier than 8:00 a.m. or later than 10:00 p.m.

- (5) No additional parking area shall be created as a result of the home occupation.
- (6) No vehicles larger than a three-quarter-ton truck shall be used in conjunction with the home occupation.

**(h) Operators / Employees**

- (1) The home occupation shall only be conducted by a resident of the dwelling where the home occupation takes place.
- (2) Nor more than 2 persons shall be engaged or employed in a home occupation, one of which may be a person not living in the dwelling unit.

**(i) Nuisance Factors**

- (1) The equipment or process related to the home occupation shall not create or contribute to the creation of offensive noise, vibrations, smoke, dust, fumes, odors, heat glare, x-ray, electrical disturbance, or interference to radio and/or television.
- (2) No mechanical equipment is allowed except that which is necessarily, customarily, or ordinarily used for household or leisure purposes.
- (3) No materials classified by state or federal law as toxic, explosive, flammable, combustible, corrosive, etiologic, or radioactive shall be used or stored on the site.

**(j) Procedures**

- (1) As part of the certificate of occupancy application process, the applicant shall complete a "Home Occupation Affidavit" form.
- (2) The Home Occupation Affidavit form shall include a site plan showing:
  - a. Street address
  - b. Dimensions of the house
  - c. Location and dimensions of the area where the home occupation will be conducted
  - d. Location of the sign
- (3) A certificate of occupancy shall not be issued unless all of the above required information is provided on the site plan.

## 89-84 Housing Types

⇔ *Use Category (§ 89-21 Use Table): Residential – Residences* ⇔  
*Commercial / Mixed Use = Mixed Use*

**(a) Applicability**



(1) This section applies to the City of Lafayette.

(2) This section applies to the following housing types –

- Apartment House
- Apartment Hotel
- Cottage Courts
- Zero lot line home
- Mixed Use Building (with Dwelling Units)
- Multi-family
- Live/Work Dwelling
- Townhouse / Row house

(3) The following housing types are regulated separately and are not subject to this section –

- Dwelling, single-family detached and Dwelling, two-family (duplex) (↔ *Zoning district regulations in Article 2; development standards in Article 3 generally*)
- Accessory Apartments (↔ *see § 89-74*)
- Manufactured Home / Manufactured Housing Land Lease Community (↔ *see § 89-86*).

**(b) Building Design.** Building design requirements for the housing types regulated by this section are as follows:

Table 89-84-1 Housing Type Building Design

	Frontage Buildout ( <i>see § 89-27(c)</i> )						Entrance	
	RS	RM	MN	MX	D	CM	Street Facing?	Spacing between entrances along front facade
Apartment Hotel	--	--	50%	Z	Z	65%	Yes	75'
Apartment House	--	50%	65%	Z	Z	65%	Yes	--
Cottage Courts	--	--	--	--	--	--	--	--
Live/Work Dwelling	--	25%	45%	Z	Z	--	Yes	--
Mixed Use Building	--	--	65%	Z	Z	65%	Yes	65'
Multi-family	--	40%	65%	Z	Z	--	Yes	100'
Townhouse / Row house	--	35%	65%	Z	Z	--	Yes ( <i>each unit along frontage</i> )	--
Zero lot line home	--	--	--	Z	--	--	Yes	--

Note: “Z” = refer to zoning district regulations (see Art. 2) | “—” = not applicable / not regulated

If street facing is required, at least one of the following entry types is required along the street frontage, with minimum spacing as indicated in the table above. If the front façade is narrower than the required spacing or spacing is not regulated, only one entrance is required.

### (c) Access

(1) A reciprocal access servitude shall be recorded for all lots and attached dwellings.

(2) If utility servitudes are required, the minimum setback shall be behind the said servitude (including niches).

### (d) Cottage Courts

(1) **Density.** No minimum lot size applies to Cottage Courts. The maximum permitted density is:

Zoning District	Dwelling Units Per Acre
RS-1	5
RS-2	9
RM-1	15
RM-2	35

(2) The **minimum site area** for a Cottage Court is **20,000** square feet.

(3) **Height.** Cottages shall not exceed 2 stories in height.

(4) **Lot Coverage and Floor Area.**

- a. The maximum first floor or principal floor area for an individual principal structure in a Cottage Court shall not exceed eight hundred (800) square feet.
- b. The total floor area of each cottage shall not exceed either 1.5 times the area of the ground floor area, or 1,500 square feet, whichever is less.

(5) **Open Space**

- a. See subsection (c) above for general requirements.
- b. At least 50% of the cottages shall abut the common open space.
- c. All of the cottage units shall be within 60 feet walking distance of the common open space.
- d. The common open space shall have cottages abutting at 2 sides.
- e. The open space shall in all other respects conform to the open space standards in Article 3.

(6) **Parking**

- a. The amount of parking spaces shall be as provided in Article 3.
- b. The parking shall be screened from direct street view by one (1) or more building facades, by garage doors, or by a fence and landscaping.
- c. Parking between structures is only allowed when it is located to the rear of the principal structure and is served by an alley or private driveway.
- d. Parking may not be located in the front setback.
- e. Parking may be located between any structure and the rear lot line of the lot or between any structure and a side lot line, which is not a street side lot line.

## 89-85 Junkyards

⇔ *Use Category (§ 89-21 Use Table): Infrastructure – Waste-related – Junk yards*

**(a) Applicability**

- (1) This section applies to any “junkyard” as defined by La. R.S. § 48:461.1. For purposes of this section, a “storage area” means all areas where junk or dismantled automobiles are stored.
- (2) This section applies to the City of Lafayette and the unincorporated parts of Lafayette Parish.
- (3) This section applies additional regulations to junkyards where they are allowed or not regulated through zoning. Nothing in this section allows a junkyard in any area or district where junkyards are not allowed.
- (4) Junkyards are not an allowed use within the City of Lafayette. The provisions of Article 6 of this Chapter notwithstanding, and in order to promote the health, safety, and general welfare of the citizens of the City of Lafayette, and to conserve the values of buildings and encourage the most appropriate use of land therein, any junkyard with legal nonconforming status as of the effective date of this Title shall lose its legal nonconforming status and shall cease all operations no later than four (4) years from the effective date of this Title.
- (5) The owner of any junkyard may apply to the Planning and Zoning Commission for an extension of time within which to cease junkyard operations, which extension shall be granted if the Commission finds:
  - a. that the applicant has made a substantial investment in the property upon which the legally nonconforming junkyard;
  - b. that such investment was made prior to the effective date of this Title;
  - c. that the applicant will be unable to recoup said investment prior to the cessation date provided in this subsection; and
  - d. that the applicant’s property cannot be readily converted to another use;
  - e. That the applicant has made a good faith effort to recoup the investment and/or relocate the use to a location that meets the requirements of this Chapter.
- (6) Any extension granted pursuant to subsection (5) above shall be for a reasonable period of time, not to exceed the time necessary for the applicant to recoup the applicant’s investment. An action of the Planning and Zoning Commission to grant or not grant an extension is appealable to the Council.

**(b) Buffer** (↔ *see* § 89-34)

- (1) A minimum **Class “F” buffer** is required along the side and rear setbacks. No structures, storage, or internal roadway may be placed within the buffer.
- (2) A **Class “F” buffer** is required along a street right-of-way and includes lots with multiple frontage.

**(c) Fence**

- (1) A fence is required around all areas where junk or dismantled automobiles are stored.

- (2) The fence shall be 10 feet in height, of a constructed of masonry or other durable solid material including low maintenance wood construction, and have a uniform height above grade along its entire length.
  - (3) The fence shall be of uniform design and construction materials, color, and decorative pattern.
  - (4) Salvage materials or junk shall not be used in the construction of fences.
  - (5) The fence shall be built and maintained at a 90 degree angle from the ground and shall completely enclose the storage area.
  - (6) Fences which are a threat to public health and safety shall be repaired or replaced in accordance with this subsection.
- (d) **Access.** All driveways from the street to 20 feet inside the fenced enclosure shall be covered by a hard surface including but not limited to concrete, asphalt, gravel, or shells.

**(e) Operation**

- (1) All junkyards shall be maintained in a manner that does not cause a public or private nuisance, offensive or noxious odors, or the breeding or harboring of rodents or insects.
- (2) The hours of operation shall be 8:00 a.m. to 8:00 p.m., 6 days a week (not including Sunday).
- (3) No automobile bodies shall be compacted or reduced on the site.
- (4) Automobiles, other vehicles, other debris or materials shall not be stacked higher than the height of the fence.
- (5) No offensive materials or wastes shall be deposited upon a lot in such form or manner that they may be transferred off the lot by normal, natural causes or forces (i.e., rain, wind).
- (6) No substance which can contaminate a stream or watercourse or otherwise render the stream or watercourse undesirable as a source water supply or recreation shall be deposited upon a lot in a form or manner that allows it to be transferred off the lot by normal, natural causes or forces.
- (7) All materials or wastes which may cause fumes or dust, constitute a fire hazard, or be edible or otherwise attractive to rodents and insects shall be stored outdoors only if enclosed in containers which are adequate to eliminate such hazards.

## **89-86      Manufactured Homes / Mobile Homes / Trailers**

⇔ **Use Category (§ 89-21 Use Table):** *Residential* – Residences – Manufactured homes

**(a) Applicability & Definitions**

- (1) This section applies to any Manufactured Home, Manufactured Home Land Lease Community, or Trailer Park in the City of Lafayette (*only where permitted in the applicable zoning district*) or unincorporated Lafayette Parish.
- (2) The following definitions apply to this section:

<b>Access Road</b>	Any road or drive that (1) provides access to a Manufactured Home Land Lease Community or Trailer Park, or (2) provides access to any Manufactured Home Lot.
<b>Accessory structure</b>	Any structure on the same space as the Unit which includes awning, cabanas, carports, porches, storage cabinets and similar appurtenant structures.
<b>Building</b>	Any structure having a roof supported by columns or by walls and intended for the shelter, housing or enclosure of persons, animals, or property of any kind.
<b>Common area</b>	Any area or space designed for joint use of tenants occupying a Community.
<b>Community</b>	Any Manufactured Home Land Lease Community, Manufactured Home Subdivision, or Trailer Park.
<b>Driveway</b>	A minor private way used by vehicles and pedestrians on a Lot or for common access to a small group of lots or common facilities.
<b>HUD Code</b>	The regulations promulgated by the United States Department of Housing and Urban Development pursuant to the National Manufactured Home Construction and Safety Standards Act (42 U.S.C. § 5401 et seq.).
<b>Living Unit</b>	A living unit consists of one or more rooms, including a bathroom and complete kitchen facilities, which are arranged, designed, or used as living quarters for one family.
<b>Lot</b>	A subdivided parcel of land for the placement of a Unit.
<b>Lot area</b>	The total area reserved for exclusive use of the occupants of a Unit.
<b>Lot line</b>	A line bounding a Lot or Space as shown on the subdivision plat.
<b>Manufactured home</b>	A factory-built dwelling unit constructed to the standards and codes promulgated by the United States Department of Housing and Urban Development (HUD), under the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. §5401 et seq., as amended ((See LRSA 51:911.22). A manufactured home complies with the HUD Code as indicated by a red certification label displayed on the exterior of each transportable section.. A manufactured home is not considered a single-family dwelling.
<b>Manufactured home land lease community</b>	A parcel or tract of land where the principal use is the rental, leasing or occupancy of space by two or more manufactured homes on a permanent or semi-permanent basis, and customary accessory buildings or uses such as clubhouses, laundries, or management and sales units.
<b>Manufactured home subdivision</b>	Any tract of land developed or used for the purpose of accommodating more than 4 homes occupied for dwelling or sleeping purposes, where a space is subdivided as a lot to be sold to the occupants.
<b>Mobile home</b>	A dwelling unit that was constructed in a factory before June 15, 1976, and that does not comply with the HUD Code or the LCG's Building Code. A mobile home is not considered a single-family dwelling.
<b>Occupant</b>	Any person who owns, leases, occupies and/or uses a space in a Community.
<b>Occupied area</b>	That area of a Lot which is covered by a Unit and its accessory structures.
<b>Parking area</b>	The off-street area available within the S pace used to park motor vehicles, and that accesses a street or alley.
<b>Person</b>	Any individual, firm, trust partnership public or private association or corporation and/or other artificial entity.
<b>Private street</b>	A private way, which affords principal means of access to abutting individual sites, common areas, other private ways and/or parts of a Community.
<b>Service building</b>	A building housing a toilet, lavatory and such other facilities as may be required by this regulation.

<b>Single-family dwelling</b>	A residential dwelling built, constructed and built to International Residential Code (IRC) standards and/or erected as a permanent structure on immovable property (a lot and/or land) with a permanent foundation for year-round living.
<b>Space</b>	A plot of ground within a Community designed for accommodation of one Unit. This term includes the term "lot", "stand", and "stall".
<b>Stand</b>	That part of a lot reserved for the placement of a Unit.
<b>Trailer</b>	<p>A trailer type structure that is primarily designed to provide temporary living quarters for recreational, camping, travel or seasonal use, that:</p> <ul style="list-style-type: none"> <li>• Is built on a single chassis mounted on wheels, and</li> <li>• Has a gross trailer area not exceeding 400 square feet after set-up, and</li> <li>• Is certified by the manufacturer as complying with the American National Standard Institute Standard A119.5 for Recreational Park Trailers (ANSI A119.5), which is incorporated by reference.</li> </ul> <p>The term includes park models, campers, and house cars. A trailer is not considered a single-family dwelling.</p>
<b>Trailer Park</b>	An area where spaces are rented, sold or leased as trailer space. The term does not apply to any persons who merely park their own personal trailer on property they own.
<b>Unit</b>	Any Mobile Home, Manufactured Home or trailer.

**(3) Mobile or Manufactured Homes not in Communities**

Up to 4 manufactured homes may be placed on property without meeting the standards in this section for streets or recreation, if –

- a. Each manufactured home is located at least 30 feet from the nearest existing structure, building or other mobile home, manufactured home, or trailer except carports, patios or storage buildings that are accessory structures, and
- b. Each space includes at least 12,000 square feet.
- c. An appeal of the requirements for spacing between mobile homes may be made to the hearing examiner subject to provisions of Section 89-60 of these regulations.

**(b) Submittal Requirements**

The following minimum information shall be submitted to the PZD in the form of a site plan (24 x 36 inches minimum size) for any subdivision plat application or other approval required for any Community:

- (1) All existing and/or proposed physical features such as streets, unit location on each lot, watercourses easements, parking spaces, sidewalks and location of recreation areas.
- (2) The proposed setbacks for any building, Unit or other structure.
- (3) The location of the community waste water treatment system.
- (4) Rendering of proposed Units to be placed on any Lot or Space, indicating required skirting.
- (5) Rendering of required fencing around the Community.

**(c) Dimensional Standards**

- (1) Minimum Area.** Any proposed Community shall be at least 10 acres in area.
- (2) Density**
  - a. A Community may include up to 5.5 Lots or Spaces per gross acre.
  - b. No more than 1 unit is allowed per Lot or Space.
  - c. No Unit shall be located closer than 30 feet from any other Unit or permanent building within the Community.

**(3) Setbacks and Open Areas**

- a. At least 30 feet shall separate any Unit and any permanent building. Covered patios, carports or individual storage buildings are not considered permanent buildings.
- b. No patio, roof, carport or storage building shall be located closer than 3 feet to any lot line.
- c. The minimum front setback for a Unit from a public or private street is 20 feet.
- d. **Coverage.** Units together with accessory structures such as storage buildings and roofed-over patios or carports shall not cover more than 75% of a Lot or Space.

**(d) Common Areas**

- (1)** At least 1,500 square feet per Unit shall be devoted to recreational facilities or open space (“common areas”).
- (2)** Common areas shall be provided in a central location within the community.
- (3)** Common areas may include open space or landscaping that complies with Article 3, community buildings, and community use facilities such as indoor recreation areas, swimming pools, parks and/or subdivision offices, and service buildings.
- (4)** Drainage, detention/retention facilities, and setback areas do not count as common areas.

**(e) Streets**

**(1) Generally**

- a. Local Streets providing access to any lot or space in any Community shall comply with the Street Design standards in Article 3 (↔ § 89-44).
- b. All Communities shall include safe and convenient vehicular access from abutting public or private streets to each Lot or Space. All streets within the Community shall be paved streets.
- c. Entrance streets shall have a direct connection to a public street and shall be designed to allow free movement of traffic on the adjacent public street. The entrance street must be approved by the Public Works Director or his/her designee.



**(2) Design.** See Section 89-44 for additional information.

- a. The street shall be capable of supporting anticipated traffic loading and be designed by Registered Professional Louisiana Engineer.
- b. Surface materials are limited to concrete or asphalt. Aggregate surfaces consisting of gravel, limestone or shell are not allowed. All pavement sections shall be based on the design/construction requirements of the site-specific soil conditions.

**(3) Driveways:** Paved driveways shall be provided on spaces for convenient access to living units. The minimum width is 20 feet.

**(f) Parking areas.** At least 2 parking slots shall be provided for each space. Each space shall have an area of at least 400 square feet and 20 feet in width and depth, in addition to any passageways and driveways on the Space.

**(g) Spacing.** The boundary line of any Community shall be at least 300 feet from any recorded and approved residential subdivision of at least 5 lots.

#### **(h) Screening**

**(1)** Each Community shall be enclosed on all boundary lines with –

- a. A fence at least 6 feet high constructed of masonry or other durable solid material, including low maintenance wood; or
- b. A minimum Class “B” buffer (↔ *see* § 89-36).

**(2)** Along public or private streets abutting the Community a combination of any one of the following may be provided:

- a. A 6 feet high fence constructed of masonry or other durable solid material, including low maintenance wood.
- b. A row of evergreen trees a minimum of 8 feet tall (planted height) and a maximum of 10 feet apart.

#### **(i) Utilities**

**(1) Water.** Each Community shall meet the requirements of the respective water provider and the requirements of the Louisiana Department of Health and Hospitals.

**(2) Sewer.** Each Community shall provide a community sewer treatment system in compliance with the requirements of the Louisiana Department of Health and Hospitals. Oxidation ponds are not allowed.

**(3) Electrical Requirements.** Each mobile home park/subdivision shall meet the requirements of the respective utility provider.

- (j) **Skirting.** Skirting shall be installed around the perimeter of each Unit. Skirting shall be made of a durable solid material.

(Ord. No. O-151-2008, § 2, 8-26-08)

## 89-87 Pipelines / Railroad Rights of Way

⇔ **Use Category (§ 89-21 Use Table):** *Infrastructure – Transportation / Parking – Railroad right-of-way & Infrastructure – Utilities*

- (a) **Applicability.** This section applies to the City of Lafayette or the unincorporated Parish, where

–

- (1) underground pipelines carry flammable products under pressure through properties within a plat boundary, or
- (2) properties within the plat adjoin a railroad right-of-way.

- (b) **Setback.** A building setback restriction must be provided adjacent to the pipeline easement or reserve strip (or the center line of the pipeline facility if no easement is defined) or railroad right-of-way line in accordance with the pipeline or railroad company's policy.

## 89-88 Swimming Pools

⇔ **Use Category (§ 89-21 Use Table):** *Accessory – Accessory use (generally)*

⇔ Refer to Chapter 26, Art. IX (the “Swimming Pool Regulations”).

Pool discharge shall not be released in an uncontrolled manner. The discharge shall be connected to a publically maintained outfall or a private drainage servitude provided the servitude permits such discharge.

- (a) No pool or any portion of the pool structure itself shall be allowed in any easement. The decking surrounding the pool may be allowed in an easement, provided that any relocation or replacement of decking necessitated by utilization of the easement by the City-Parish, or any entity authorized to utilize said easement, shall be at the expense of the property owner.
- (b) The edge of the pool shall be set back one foot from the adjoining property line for every foot of pool depth at that point, plus one additional foot, up to a maximum setback from any particular property line of ten feet.
- (c) No pool shall be constructed closer than 21 feet from the front property line.
- (d) No pool shall be permitted in any required sight triangle area.
- (e) Pool decking may be constructed to the property line, provided the decking is constructed in such a fashion as to so divert water inward toward the pool and/or property upon which it is located.

- (f) For good cause shown, variances from the hereinafter set forth setback provisions may be granted by the Hearing Examiner for any pool situated outside the corporate limits of the City of Lafayette and by the Board of Zoning Adjustment for any pool situated within the corporate limits of the City of Lafayette.

## 89-89 Self-Service Storage

⇔ **Use Category** (§ 89-21 Use Table): *Industrial / Production – Warehousing, Storage & Distribution – Self-service storage facility*

- (a) **Applicability.** This section applies to Self-Service Storage Facilities located in the City of Lafayette.
- (b) **Lot Size.** The **maximum** lot size for a self-service storage facility in the “CM” zoning district is **3 acres**.
- (c) **Height.** All buildings in any self-service storage facility in a “CM” or “MN” zoning district are limited to 1 story.
- (d) **Orientation.** No doors to access individual rental units shall face adjacent “RS” or “RM” zoned property.
- (e) **Buffers & Screening.** ⇔ *See Article 3, § 89-36.*
- (f) **Hazardous Materials Prohibited.** The storage of hazardous materials, such as toxic or explosive substances, is prohibited.
- (g) **Lighting.** ⇔ *See Article 3, § 89-37.*

## 89-90 Signs

⇔ **Use Category** (§ 89-21 Use Table): *Accessory – Signs*

*Purpose: This Section –*

- *protects the health, safety, and welfare of the citizens of the City of Lafayette,*
- *facilitates the creation of an attractive and harmonious community by establishing standards for the construction of signs,*
- *allows free expression of ideas in a uniform manner, without regulating sign content, and*
- *allows businesses to clearly identify themselves while avoiding and eliminating visual clutter.*

### (a) Applicability & Definitions

- (1) This section applies to all signs located within the City of Lafayette.
- (2) The following definitions apply to this section:

**Abandoned** Any –

<b>sign</b>	<ul style="list-style-type: none"> <li>• sign that no longer identifies a bona fide business, service, owner, product, activity, or event, or</li> <li>• sign structure which no longer supports the sign for which it was designed.</li> </ul>
<b>Attached sign</b>	A building sign, wall sign or projecting sign.
<b>Banner</b>	A sign made of fabric, flexible plastic, or other non-rigid material. A banner is considered a temporary sign.
<b>Billboard/off-premises advertising sign</b>	An advertising sign that directs the attention of the public to a business activity conducted, or product sold or offered for sale at a location not on the same premises where the sign is located. This does not include: (1) any sign erected and maintained by the State of Louisiana, Department of Transportation and Development, or any other entity authorized by the state, oriented to and visible from a street, or (2) any sign permitted, authorized or contracted for by a state, parish or municipal governing authority pursuant to RS 32:236.C, or (3) an approved sign located on the site of an integrated business center, and owned and operated by a tenant of the business center.
<b>Billboard/off-premises advertising sign, digital</b>	A billboard or off-premise sign capable of displaying words, symbols, figures or images that can be electronically changed by remote or automatic means.
<b>Building sign</b>	A sign that is attached to a building.
<b>Business/on-premises sign</b>	A sign that directs attention to a business or profession or to a commodity, service, or entertainment sold or offered upon the premises where the sign is located.
<b>Directional sign</b>	An on-site sign that is designed and erected solely to direct vehicular and/or pedestrian traffic.
<b>Flashing sign</b>	A sign illuminated by an intermittent light source.
<b>Freestanding sign</b>	A sign permanently attached to the ground and independent of a building.
<b>Historic sign</b>	See Landmark sign.
<b>Illuminated sign</b>	A sign illuminated by a lighting device.
<b>Integrated business center</b>	A development with two or more attached or detached businesses, on one or more lots, designed as a unit with identifiable boundaries, and served by common features such as shared access and/or parking facilities and signs. Configuration and design shall include such features as: identification by a single name or consistent architectural style, and the appearance or public impression that the center acts as a single facility. When separated by public or private streets, the Administrator may declare a group of lots to be an integrated business center.
<b>Landmark sign</b>	A sign designated as a landmark or having historic value as determined by the Lafayette Preservation Commission. A sign may be designated as a landmark sign when it is associated with historic figures, events, or places, or is considered significant as evidence of the history of the product, business, or service advertised.
<b>Mobile billboard</b>	An off-premises advertising sign mounted on a vehicle or trailer that can become part of traffic flow or be parked at specific locations. A vehicle which

	advertises the company of its primary use is not considered a mobile billboard.
<b>Monument sign</b>	An independent sign affixed to the ground and supported from grade to the bottom of the sign with the appearance of having a solid base. A monument sign is not a pole sign. The width of any portion of the base of a monument sign is a least 80% of the width of the sign.
<b>Nameplate sign</b>	A sign, attached to a building, which states the name and/or address of the profession or business on the lot where the sign is located.
<b>Opinion Sign</b>	A temporary sign that does not advertise products, goods, businesses or services and that expresses an opinion or other point of view.
<b>Pole sign</b>	A freestanding sign attached to a pole or poles erected directly into the ground.
<b>Political sign</b>	A temporary sign which advocates a position on an issue or the candidacy of a person or a party on an upcoming ballot.
<b>Projecting sign</b>	A sign attached to the wall of a building and extending out between 15 and 72 inches. This includes a sign hanging from a projecting roof for a distance of up to 72 inches and within the bounds of the roof projection.
<b>Readerboard</b>	A sign designed to have changeable copy, either manually or electronically. A readerboard may be freestanding or attached to a building.
<b>Refacing</b>	Repainting or replacing the advertising surface of a sign without making mechanical, electrical, size or structural changes.
<b>Sign</b>	All or part of an object, device, display, or structure, located outside of a building, used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event, or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, or illuminated or projected images. Signs do not include the flag or emblem of any nation, organization of nations, state, or city, or any fraternal, religious, or civic organization; merchandise, pictures, or models of products or services incorporated in a window display; works of art which in no way identify a product; or scoreboards located on athletic fields.
<b>Snipe sign</b>	A sign, made of any material, which is attached to a tree, pole, stake, fence, or other object, and which contains advertising matter that is not applicable to the use of the premises upon which it is located.
<b>Stacking of a sign</b>	The placement of more than one sign face on a structure that is intended for the attachment of one face per side.
<b>Surface area of a sign</b>	The entire area within a single continuous perimeter enclosing the extreme limits of the actual sign surface. It does not include any structural elements outside the limits of the sign that do not form an integral part of the display. Only one side of a double-face or V-type sign structure is used to compute total surface area. A V-type sign is a double-faced sign where the interior angle formed by the display does not exceed 60 degrees.
<b>Temporary sign</b>	A sign that is constructed of cloth, canvas, cardboard, wallboard, or other light temporary materials, with or without a structural frame, intended for a temporary period of display. Examples include placards for public demonstrations, real estate signs, election signs, construction signs, or signs that advertise a grand opening, festival, state or local fair, or cattle or horse show.
<b>Wall sign</b>	A sign affixed flat against the wall of a building and which is no more than 15 inches in thickness.

**(3) Message Neutrality**

- a. This Section regulates signs in a manner which is consistent with the speech freedoms of both the United States and Louisiana Constitutions and the Louisiana Revised Statutes, and is content neutral.
- b. Notwithstanding any other provision of this Section, no sign is subject to any limitation based on the content of the message contained on the sign. Any sign authorized in this Section may contain any non-commercial copy in lieu of any other copy.

**(b) Permit Required**

- (1) A sign permit issued by the PZD is required before the installation, structural alteration, repair, reconstruction, or refacing of a sign.

**(c) General Requirements**

- (1) **Building Code.** The sign shall be constructed and erected in accordance with the applicable building code (↔ see Chapter 26, Art. III).
- (2) **Unsafe sign.** Whenever a sign becomes structurally unsafe or endangers the safety of a building or premises, or endangers the public safety, the PZD shall give written notice to the owner of the sign or the owner of the premises on which the sign is located. Upon receipt of the notice, the sign or property owner shall repair or restore the sign to a safe condition, or remove the sign.

**(d) Measurements**

- (1) **Size.** The maximum allowed surface area of a sign is calculated using the lot or building dimension (depending on the zoning district) along the street on which a freestanding sign is located, or a building or wall sign faces.
- (2) **Height**
  - a. For **freestanding** signs, sign height is measured as the vertical distance from grade adjacent to the sign footing, to the top of the sign, including the support structure and any design elements.
  - b. For building signs, sign height is the vertical distance from the furthest points along the top and the bottom of the sign area.

**(e) Location****(1) Private property**

- a. Signs must be attached to or located on private property.
- b. No sign may be located in a public right-of-way or attached to a utility pole, tree or other vegetative matter, fence, highway marker or regulatory sign, or other public property.

**(2) Safety.** No sign shall be –

- a. Be erected so as to prevent free ingress or egress from any door, window, or fire escape; or
- b. Be attached to a standpipe or fire escape, or
- c. Create a public safety hazard.

(3) No sign shall be located within the **line of sight**. (↔ See Art. 3 § 89-44).

**(4) Easements**

- a. Except as provided below, a sign shall not encroach on any easement or the vertical plane of an easement, or interfere with power lines or other utility systems.
- b. A sign which meets all other requirements of the zoning district in which it is located may be placed in an easement, if the specific location of the sign is agreed to by the easement's owner. Written agreement to the proposed location must be provided to PZD, in writing and in the form required by the owner of the easement, prior to the issuance of a permit for construction of the sign.

**(f) Illumination**

- (1) The illumination of a sign within 100 feet of and facing a residential zoning district shall be diffused or indirect and designed to prevent direct rays of light from shining into the adjoining residential district. A neon or plastic face sign with interior lighting is considered a diffused or indirectly lighted sign.
- (2) Exposed lighting sources, except as provided for above, are prohibited.
- (3) **Revolving, flashing or intermittent illumination** is not allowed.
- (4) An external lighting device may not extend more than 72" over private property.
- (5) **On-premise signs.** Where digital readerboards are allowed, a message shall be displayed a minimum of 5 seconds. Transition from one message to the next shall be instantaneous and shall not contain visual effects such as fading, dissolves, flashing, etc. A digital sign face shall not exceed 32 square feet in area.
- (6) **Off-premises signs.** See regulations included in subsection (g)(Non-Conforming Signs), below.

**(g) Freestanding Signs**

- (1) **Multi-Tenant Signs** A business that advertises on a multi-tenant sign may not construct an individual freestanding sign.
- (2) **Pole Signs**
  - a. The following apply to individual sites or integrated business centers in the "CH," "IL," and "IH" districts.



- b. A pole sign with a maximum height of 75 feet above grade is allowed on property adjacent to the right-of-way of one of the following roadways if the sign is erected within 1,000 feet of the right-of-way:
  - 1. Interstate Highway 10
  - 2. Interstate Highway 49 north of Interstate Highway 10
  - 3. U.S. Highway 90 south of its intersection with East University Avenue and Surrey Street

#### (h) Attached Signs

- (1) The sign may be painted, attached flat against the building, or may project out from the building.
- (2) A sign projection may not exceed 48 inches in “CM” and 72 inches in the “CH,” “IL” and “IH” districts.
- (3) A sign projection must be over private property.
- (4) For projecting signs, an 8-foot minimum clearance from the sidewalk or public way to the lowest extremity of the sign is required. The sign may not be located closer than 2 feet from the curb line.

#### (i) Nonconforming Signs

- (1) **Applicability.** This subsection applies to a sign (a “nonconforming sign”) that –
  - a. Legally existed prior September 25, 2007, and does not conform to this Section, or
  - b. Is legally established after September 25, 2007, and subsequently fails to conform to this section due to a rezoning or a change in regulations that apply to the sign.
- (2) **Generally.** The following provisions apply to nonconforming on-site signs:
  - a. A nonconforming sign shall not be changed in overall **dimensions**, or type of illumination, or altered, except to conform to this Section.
  - b. A nonconforming sign on an **individual business site** or an **out parcel of an integrated business center** may not be enlarged, reworded (other than readerboards), redesigned or altered in any way, except to conform to this Section. An existing business may reword or reface the sign unless the ownership or name of the business changes. The conversion of a sign to a digital sign or readerboard shall constitute a structural change and not a refacing.
  - c. **Change of Occupancy.** When occupancy of an individual business site or an **out parcel of an integrated business center** changes, all nonconforming signs on the site must be modified to fully comply with this Section prior to the issuance of a certificate of occupancy.
  - d. **Destruction, Damage, Deterioration of Sign.** A sign that is destroyed, damaged or deteriorated to such an extent that the cost of restoration would exceed 50% of the replacement cost, shall not be repaired, rebuilt or altered except to conform to this Section.

- e. **Damage or destruction of building.** A nonconforming sign shall be removed if the building to which it is accessory is damaged or destroyed to the extent of 50% or more of the area of the principal building.
- f. **Replacement.** A sign replacing a nonconforming sign shall conform to this section, and the nonconforming sign shall no longer be displayed.
- g. A sign **requiring removal by the LCG** as a result of this section shall be assessed a standard fee of at least \$100 as determined by the Planning and Zoning Commission for the removal.
- h. A permit **fee** shall **not be charged** when a **nonconforming** sign is **replaced with a conforming** sign.

**(3) Off-premises.** The following provisions apply to nonconforming billboard / off-premise signs:

- a. **Applicability.** This subsection (3) applies to all signs located in the City of Lafayette and the unincorporated areas of Lafayette Parish.
- b. **Dimensions Not to Increase.** No dimension of the sign may increase.
- c. **Destruction, damage, deterioration**
  - 1. A nonconforming sign may be reconstructed in its existing location only if damaged by vandalism, fire, storm or other act of God or the public enemy. The reconstruction must take place within 6 months of the damage.
  - 2. If a sign is structurally altered, repaired or refaced, no increase in any dimension, surface area, the number of faces or the height of the sign from that which existed immediately prior to the occurrence of the damage is allowed.
  - 3. If the sign is not repaired within 6 months after the occurrence of the damage, no repair is allowed and the sign shall be removed sign owner's expense.
  - 4. If damaged or destroyed by vandalism, fire, storm or other acts of God or other public enemy, the sign may be repaired only if the cost of repair to the structure is less than 50% of its replacement cost.

**d. Digital Billboard/Off-Premises Advertising Sign Face Conversions**

- 1. A nonconforming billboard/off-premises sign face may be converted to 1 static, intermittently changeable, digital display with the following conditions.
- 2. **Removal** of billboard/off-premises advertising signs.
  - A. For each digital sign face conversion, signs located within the jurisdiction of LCG totaling at least 2 times the surface area of the proposed digital sign face being converted shall be permanently removed.
  - B. If a billboard owner who proposes to convert a billboard to a digital face did not as of September 28, 2007 own sufficient signs to meet the removal requirement in subsection A above, then 1 digital face conversion is allowed.
  - C. The digital conversion of any sign acquired after September 28, 2007 is not allowed.

3. **Distance.** The converted digital structure may be located no closer than 300 feet to a residential zoning district. Measurement is from the residential zoning district boundary to the outermost portion of each sign.
  4. **Spacing.** No sign proposed for conversion may be closer than 1,500 feet to another digital billboard/off-premise advertising sign. A billboard converted under subsection (g)(4)d.2.B above is not subject to this spacing requirement. Measurement is from the outermost portion of each sign.
  5. **Message Display Intervals.** Each message appearing on a digital billboard face shall remain fixed for at least 8 seconds, and message changes shall be instantaneous and not contain such visual effects as fading, dissolves, flashing, etc.
  6. **Illumination.** Display brightness shall be adjusted as ambient light levels change.
  7. **Malfunction Display Lock.** Digital billboards shall contain a default design that will freeze the sign in one position if a malfunction occurs, or in the alternative, shut the sign down.
  8. **Emergency information.** The operator of a digital billboard shall at the request of LCG or the Lafayette Emergency Communications District make every effort to display emergency messages, such as Amber Alerts, road closures and evacuation information, as a public service and at no cost to the requesting authority. The messages shall be displayed in appropriate locations and with appropriate frequency until the emergency no longer exists or the authority requests termination.
  9. **Inventory required.** A company that converts an existing billboard/off-premises advertising sign to a digital display must provide, with each permit application, a complete current inventory of its signs located within the jurisdiction of LCG. The inventory shall include location, size and number of faces, and means of illumination.
- (4) **Reversion Prohibited.** Once changed to a conforming sign, no sign shall revert to a nonconforming sign.
- (5) **Maintenance.** This subsection does not prevent normal maintenance, repairs, repainting, or posting of business or billboard/off-premises advertising signs.
- (j) **Landmark Sign.** A sign existing prior to November 25, 2008, and designated as a landmark sign by the Lafayette Preservation Commission, is exempt from this Section. Any proposed alteration to a landmark sign, except to bring it into compliance with this Section, must be approved by the Lafayette Preservation Commission. In order to retain its landmark sign designation, the sign must be maintained in good repair.

**(k) Temporary sign**

**(1) Permit.**

- a. Except as provided in subparagraph (b), no person shall erect a temporary sign without first obtaining a permit from the Administrator.
- b. No permit shall be required for (i) a political sign; (ii) a sign advertising immovable property for sale or lease; (iii) a sign identifying a developer, engineer, architect or contractor engaged in the

construction of a building or development; (iv) a sign advertising a charitable event; or (v) an opinion sign.

- c. Except as otherwise provided herein, only one (1) temporary sign per category shall be allowed per lot (*i.e.*, only one sign advertising the sale or lease of immovable property is allowed on a particular lot, although a political sign would also be allowed at the same time).

**(2) Duration.**

- a. The Administrator may approve a permit for up to forty-five (45) days, except that the Administrator may approve one sign per street entrance advertising the development of a new subdivision of five lots or more, which may be installed for up to one (1) year. In all cases, the temporary sign shall be removed by the applicant at the end of the permit period.

- (3)** With respect to signs that do not require a permit, a sign may be placed upon initiation of the temporary event, and must be removed by the person who erected it within 14 days after the event terminates. Examples of the initiation and termination of particular events are:

<b>Political</b>	Initiation 90 days prior to the last day of qualification of candidates for a candidate election or, for a proposition election, no sooner than the date of the deadline of submission of the proposition to the Secretary of State. Termination upon the election of a candidate to office or resolution of a ballot question.
<b>Real estate sale or lease</b>	Initiation upon the actual availability of the property or premises for sale or lease, and termination upon execution and acceptance of a final contract for the real estate transaction.
<b>Building construction or remodeling</b>	Initiation upon issuance of a building permit and termination upon issuance of the certificate of occupancy or approval for connection to electric power for the work authorized by the building permit.
<b>Charitable Event</b>	Initiation 30 days prior to the event.

- (4)** Temporary signs in an “RS” or “RM” zoning district –

- a. Shall not exceed 12 square feet in cumulative area, and
- b. Shall not advertise off-premises commercial activity

- (5)** A temporary sign in districts other than “RS” or “RM” shall not exceed 32 square feet in area.

- (6) Political Signs.** Any restriction in the number of temporary signs does not apply to political signs, if the number of political signs does not exceed the number of ballot issues and ballot candidates in any current election.

- (7)** A lot may contain one **Opinion Sign** for each street frontage, or one Opinion Sign within each tenant space within the overall applicable allocation for freestanding or attached signs. Opinion Signs are permitted on private property only and may be placed only upon approval of the property owner. Opinion Signs not attached to a freestanding or attached sign may not exceed 6 square feet in area or 4 feet in height. Opinion Signs may not be located closer than 7 feet to the paved portion of a street and must be at least 5 feet from any property line. An illuminated sign may not be used in residential districts as a non-commercial opinion sign.

(l) **Abandoned sign.** An abandoned sign shall be removed by its owner or persons otherwise responsible within 180 days from the time the activity ceases.

(m) **Prohibited Signs.** The following signs are prohibited:

- (1) Signs installed or erected without a sign permit, unless otherwise allowed (temporary signs with no permit required).
- (2) Off-premises advertising signs, except as allowed for integrated business centers.
- (3) Signs extending into, or placed within, the public right-of-way or affixed to any public property.
- (4) Mobile billboards or portable trailer signs.
- (5) Signs with lasers or lights that blink, flash, revolve, or strobe, including animation or video.
- (6) Signs that contain mirror-like surfaces.
- (7) Signs that emit smoke, vapor, particles, sound, or odor.
- (8) Wind or fan blown signs.
- (9) Snipe signs.
- (10) Temporary product-specific signs.
- (11) On-site signs placed on off-site signs.
- (12) Off-premises advertising signs in the unincorporated areas of Lafayette Parish.

(n) **Signs in “RS,” “RM” or “A” zoning districts.** In residential zoning districts, only the following signs are allowed:

- (1) The following regulations apply to individual lots or spaces for the following uses: single-family detached dwellings, Cottage Courts, two-family (duplex) dwellings, Zero lot line homes, or Manufactured homes:
  - a. One sign is allowed, not to exceed 2 square feet in surface area.
  - b. Non-illuminated temporary signs are allowed in addition to subsection a (see subsection (k) above).
- (2) The following regulations apply to any Multi-Family, Apartment House, Apartment Hotel, Townhouse / Row house, Group Living, or non-residential use allowed in an “RS” or “RM” district:
  - a. **Freestanding sign.** One freestanding sign is allowed per street frontage. It may be illuminated, but not flashing.
    1. **Height and type.** The sign shall not exceed 10 feet in height and must be a monument sign.
    2. **Size.** The surface area of the sign shall not exceed 50 square feet.

- Lafayette Consolidated Government
- Unified Development Code*
- | 34

4. **Building, wall or projecting sign.** An individual business site or out parcel of an integrated business center include one attached sign per street frontage. The surface area of the sign shall not exceed 32 square feet.

**(4) Integrated business center:**

- a. **Freestanding sign.** One freestanding business sign is allowed per street frontage of an integrated business center. A business that advertises on a multi-tenant sign may not construct an individual freestanding sign. The type of sign allowed depends on its height and setback from the right-of-way. Only one of the following two options may be used.

1. **Option 1.**

- A. **Height and type.** The sign shall not exceed 20 feet in height and shall be a monument sign.
- B. **Setback.** The sign shall be setback a minimum of 15 feet from each property line along a public or private street, and a minimum of 1 foot from each other property line.

2. **Option 2.**

- A. **Height and type.** The sign shall not exceed 10 feet in height and shall be a monument sign.
- B. **Setback.** The sign shall be set back a minimum of 1 foot from each property line and not in a utility easement unless approved in 89.38(e).

- b. **Building, wall or projecting sign.** In addition to the freestanding sign above, each business or use within the integrated business center may be identified by one (1) wall or projecting sign per street frontage subject to the following:

1. **Size.** The surface area of the sign shall not exceed 32 square feet.
2. **Installation.** The sign may be painted on or attached flat against the building, or may project out from the building, but such projection may not exceed 48 inches and must be over private property. In the case of projecting signs, an eight-foot minimum clearance from the sidewalk or public way to the lowest extremity of the sign is required. In no event may the sign be located closer than 2 feet to the curb line.

**(q) Signs in “CH” zoning districts.** Signs are allowed subject to the following regulations:

- (1) All signs permitted in the “CM” zoning district are allowed. A **readerboard** is allowed. The readerboard may not exceed 32 square feet in area.
- (2) **Illuminated** signs are allowed.
- (3) **Size.** The total surface area of all business signs on a building and/or lot shall not exceed the sum of three square feet for each linear foot of lot frontage. The maximum allowed surface area of a sign shall be calculated using the lot dimension along the street on which the sign is located or faces.

**(4) Individual business site or out parcel** of an integrated business center:

- a. **Freestanding sign.** One freestanding business sign is allowed per street frontage on an individual business site.



1. **Height and type.** The sign shall not exceed 14 feet in height and must be a monument sign. A pole sign with a maximum height of 75 feet above grade is allowed on property adjacent to the right-of-way of one of the following roadways if the sign is erected within 100 feet of the right-of-way:
  - A. Interstate Highway 10
  - B. Interstate Highway 49 north of Interstate Highway 10
  - C. U.S. Highway 90 south of its intersection with East University Avenue and Surrey Street
- b. **Setback.** The sign shall be setback a minimum of 1 foot from each property line.
- c. **Building, wall or projecting sign.** The sign, or signs, may be painted on or attached flat against the building, or may project out from the building, but such projection may not exceed 72 inches and must be over private property. In the case of projecting signs, an eight-foot minimum clearance from the sidewalk or public way to the lowest extremity of the sign is required. In no event may the sign be located closer than 2 feet from the curb line. A building sign may face the rear or side property line without street frontage so long as it does not exceed 32 square feet.

#### (5) Integrated business center

- a. **Freestanding sign.** One freestanding business sign is allowed per street frontage of an integrated business center. A business that advertises on a multi-tenant sign may not construct an individual freestanding sign. The type of sign allowed depends on its height and setback from the right-of-way. Only one of the following two options may be used.
  1. **Option 1.**
    - A. **Height and type.** The sign shall not exceed 45 feet in height and may be a monument or pole sign. A pole sign with a maximum height of 75 feet above grade is allowed on property adjacent to the right-of-way of one of the following roadways if the sign is erected within 100 feet of the right-of-way:
      - i. *Interstate Highway 10*
      - ii. *Interstate Highway 49 north of Interstate Highway 10*
      - iii. *U.S. Highway 90 south of its intersection with East University Avenue and Surrey Street.*
    - B. **Setback.** The sign shall be setback a minimum of 20 feet from each property line along a public or private street, and a minimum of one foot from each other property line.
  2. **Option 2.**
    - A. **Height and type.** The sign shall not exceed 14 feet in height and must be a monument sign.
    - B. **Setback.** The sign shall be set back a minimum of 1 foot from each property line and not in a utility easement unless approved from Section 89-38.
- b. **Building, wall or projecting sign.** The sign, or signs, may be painted on or attached flat against the building, or may project out from the building but such projection may not exceed 72 inches and must be over private property. In the case of projecting signs, an 8-foot minimum clearance

from the sidewalk or public way to the lowest extremity of the sign is required. The sign shall not be located closer than 2 feet to the curb line.

**(r) Signs in “D” and “PI” zoning district.** Signs are allowed subject to the following regulations:

- (1)** All signs permitted in the “RS,” “RM” and “A” zoning districts are allowed. A **readerboard** is allowed. The readerboard may not exceed 32 square feet in area.
- (2)** **Illuminated** signs are allowed.
- (3) Size.** The total surface area of all signs on a lot shall not exceed the sum of 3 square feet for each linear foot of building width. The maximum allowed surface area of a sign is calculated using the building dimension along the street on which the sign is located or faces.

**(4) Individual business site or out parcel of integrated business center:**

- a. Freestanding sign.** One freestanding business sign is allowed per street frontage on an individual business site.
  - 1. Height and type.** The sign shall not exceed 14 feet in height and shall be a monument sign.
  - 2. Setback.** The sign shall be set back a minimum of 1 foot from each property line.
- b. Building, wall or projecting sign.** An individual business site or out parcel of an integrated business center may include 1 building or wall sign and 1 projecting sign per street frontage. The sign, or signs, may be painted on or attached flat against the building, or may project out from the building but such projection may not exceed 48 inches and may be over public or private property. In the case of projecting signs, an 8-foot minimum clearance from the sidewalk or public way to the lowest extremity of the sign is required. The sign shall not be located closer than 2 feet from the curb line.

**(5) Integrated business center**

- a. Freestanding sign.** One freestanding sign is allowed per street frontage of an integrated business center. A business that advertises on a multi-tenant sign may not construct an individual freestanding sign. The type of sign allowed depends on its height and setback from the right-of-way. Only one of the following two options may be used.
  - 1. Option 1.**
    - A. Height and type.** The sign shall not exceed 20 feet in height and shall be a monument sign.
    - B. Setback.** The sign shall be set back a minimum of 15 feet from each property line along a public or private street, and a minimum of one foot from each other property line.
  - 2. Option 2.**
    - A. Height and type.** The sign shall not exceed 14 feet in height and shall be a monument sign.
    - B. Setback.** The sign shall be set back a minimum of one foot from each property line.

- b. Building, wall or projecting sign.** Each business or use within the integrated business center may be identified by one building or wall sign and one projecting sign per street frontage. The sign, or signs, may be painted on or attached flat against the building, or may project out from the building, but the projection may not exceed 48 inches and may be over public or private property. In the case of projecting signs, an 8-foot minimum clearance from the sidewalk or public way to the lowest extremity of the sign is required. In no event may the sign be located closer than 2 feet from the curb line.

**(s) Signs in “IL” and “IH” zoning districts.** Signs are allowed subject to the following regulations:

- (1)** All signs permitted in the “A,” “RS” and “RM” zoning districts are allowed. A **readerboard** is allowed. The readerboard may not exceed 32 square feet in area.
- (2) Size.** The total surface area of all signs on a lot shall not exceed 6 square feet for each linear foot of lot frontage. The maximum allowed surface area of a sign is calculated using the lot dimension along the street on which the sign is located or faces.
- (3) Individual business site.** Not part of an integrated business center.

  - a. Freestanding sign.** One freestanding sign is allowed per street frontage on an individual business site.
  - b. Height and type.** The sign shall not exceed 14 feet in height and must be a monument sign. A pole sign with a maximum height of 75 feet above grade is allowed on property adjacent to the right-of-way of one of the following roadways if the sign is erected within 100 feet of the right-of-way:

    - 1. Interstate Highway 10
    - 2. Interstate Highway 49 north of Interstate Highway 10
    - 3. U.S. Highway 90 south of its intersection with East University Avenue and Surrey Street
  - c. Setback.** The sign shall be located a minimum of 1 foot from each property line and not in a utility easement unless approved from Section 89-38.
  - d. Building, wall or projecting sign.** The sign, or signs, may be painted on or attached flat against the building, or may project out from the building, but the projection may not exceed 72 inches and must be over private property. In the case of projecting signs, an 8-foot minimum clearance from the sidewalk or public way to the lowest extremity of the sign is required. The sign shall not be located closer than 2 feet from the curb line. A building sign may face the rear or side property line without street frontage as long as it does not exceed 32 square feet.
- (4) Out parcel of integrated business center.**

  - a. Freestanding sign.** One freestanding sign is allowed per street frontage on an out parcel of an integrated business center.

- b. Height and type.** The sign shall not exceed 14 feet in height and must be a monument sign. A pole sign with a maximum height of 75 feet above grade is allowed on property adjacent to the right-of-way of one of the following roadways if the sign is erected within 100 feet of the right-of-way:
  - A.** Interstate Highway 10
  - B.** Interstate Highway 49 north of Interstate Highway 10
  - C.** U.S. Highway 90 south of its intersection with East University Avenue and Surrey Street
- c. Setback.** The sign may be located within 1 foot of the property line and not in a utility easement unless approved from Section 89-38.
- d. Building, wall or projecting sign.** The sign, or signs, may be painted on or attached flat against the building, or may project out from the building, but such projection may not exceed 72 inches and must be over private property. In the case of projecting signs, an eight-foot minimum clearance from the sidewalk or public way to the lowest extremity of the sign is required. In no event may the sign be located closer than two feet from the curb line. A building sign may face the rear or side property line without street frontage as long as it does not exceed 32 square feet.

**(5) Integrated business center.**

- a. Freestanding sign.** One freestanding business sign is allowed per street frontage of an integrated business center. A business that advertises on a multi-tenant sign may not construct an individual freestanding sign. The type of sign allowed depends on its height and setback from the right-of-way. Only one of the following two options may be used.
  - 1. Option 1.**
    - A. Height and type.** The sign shall not exceed 45 feet in height and may be a monument or pole sign. A pole sign with a maximum height of 75 feet above grade is allowed on property adjacent to the right-of-way of one of the following roadways provided that such sign is erected within 100 feet of said right-of-way:
      - i.** *Interstate Highway 10*
      - ii.** *Interstate Highway 49 north of Interstate Highway 10*
      - iii.** *U.S. Highway 90 south of its intersection with East University Avenue and Surrey Street.*
    - B. Setback.** The sign shall be setback a minimum of 20 feet from each property line along a public or private street, and a minimum of one foot from each other property line and not in a utility easement unless approved from Section 89-38.
  - 2. Option 2.**
    - A. Height and type.** The sign shall not exceed 14 feet in height and must be a monument sign.
    - B. Setback.** The sign shall be set back a minimum of 1 foot from each property line.

- b. **Building, wall or projecting sign.** The sign, or signs, may be painted on or attached flat against the building, or may project out from the building but the projection may not exceed 72 inches and must be over private property. In the case of projecting signs, an 8-foot minimum clearance from the sidewalk or public way to the lowest extremity of the sign is required. The sign shall not be located closer than two feet from the curb line. A building sign may face the rear or side property line without street frontage as long as it does not exceed 32 square feet.

- (t) **Signs in “PD” zoning districts.** Sign standards for a PD are designated in the ordinance approving the PD:

(Ord. No. O-221-2008, § 2, 11-25-08; Ord. No. O-040-2010, § 2, 3-30-10; Ord. No. O-252-2010, §§ 2—4, 11-23-10)

## 89-91 Solid Waste

⇔ *Use Category (§ 89-21 Use Table): Infrastructure – Waste-related – Solid waste*

### (a) Applicability

- (1) This section applies to the City of Lafayette and the unincorporated portions of Lafayette Parish.
- (2) This section applies additional regulations to Solid Waste Facilities where they are allowed or not regulated through zoning. Nothing in this section allows a Solid Waste Facility in any area or district where it is not allowed.
- (3) This applies to the following activities, as defined below:

<b>Disposal facilities</b>	The physical components of the disposal system, such as transfer conveyances, processing plants and landfill. In addition, waste tire processing plants, waste tire collection centers, and solid waste management facilities, as those terms are defined in R.S. 30:2412.
<b>Dumping Pit</b>	A land site where solid waste is disposed of in a manner that does not protect the environment.
<b>Incinerator</b>	A furnace designed for the volume reduction of solid waste by burning in a firebox with proper controls and temperature range with stack emissions which do not exceed air pollution control limits established by local, state or federal laws and regulations.
<b>Landfill, Construction/Demolition Debris</b>	Nonhazardous waste generally considered not water-soluble including, but not limited to, metal, concrete, brick, asphalt, roofing materials (shingles, sheet rock, plaster), or lumber from a construction or demolition project, but excluding asbestos contaminated waste, white goods, furniture, trash or treated lumber. As defined in the current Environmental Regulatory Code, LAC 33:VII.115, LAC 33:VII.719, LAC 33:VII.721 and subsequent Louisiana Department of Environmental Quality guidelines.
<b>Landfills, Sanitary</b>	A facility for the disposal of solid waste involving the placement of solid waste on or into the land surface, and usually involving compaction and covering of the disposed solid waste, and which is not a land-spreading or surface impoundment facility.
<b>Scrap and salvage yard</b>	A facility for discarded or rejected material or parts of material that result from manufacturing operations and are suitable for reprocessing

	or recycling.
<b>Waste pickup station</b>	A site at which solid waste is temporarily placed and from which it is transported to a different location for processing and/or disposal.
<b>Waste transfer station</b>	A Solid Waste processing facility where Solid Waste is transferred from Collection Vehicles and placed in other vehicles for transportation.
<b>Wrecker yard</b>	A site at which damaged vehicles are stored and whose purpose is to sell vehicle parts, or whose primary business is to store damaged vehicles.

### (b) Separation Distances

- (1) Owners and developers of the activities listed below are prohibited from constructing and operating their developments within the following distances from a school, approved residential development and/or residence.
- (2) The distance is measured from property line to property line.

Table 89-91-2 Solid Waste Separation Distances

Adjoining Development (see § 89-34(g))	Separation Distance
SF, MF	1,320
NB, GB, CV, AG	600
ID	200

- (c) **Fences.** The developer must provide a sightproof eight-foot-tall fence at the inside perimeter of the required buffer.
- (d) **Waste Tire Disposal.** Any disposal facility which contains more than 150 waste tires shall, in addition to the buffer and separation distance required by this section, establish an area within the separation distance of 100 feet, with no trees and including access roads. This area shall include with no flammable substance and shall completely surround the disposal facility.

(Ord. No. O-59-93 (Par.), § 3, 10-21-93; Ord. No. O-102-94 (Par.), § 2, 12-1-94)

## 89-92 Temporary Uses

⇔ **Use Category (§ 89-21 Use Table): Miscellaneous**

### (a) Applicability

- (1) This section applies to certain temporary uses or activities in the City of Lafayette.
- (2) This section does not apply to the special events, outdoor dining, or outdoor merchandise activities that are regulated separately by the LCG (⇔ *LCG Code § 6-37 (special event permits), 82-677(a)(4) (circuses, concerts, carnivals and special events); Chapter 78, Art. VII (Pushcarts, Outdoor Dining and Outdoor Merchandise Display)*).

### (b) Temporary Sales Activities

- (1) **Approval.** The Administrator may approve the following temporary sales activities in any “A” (Agricultural), , “MN” (Neighborhood Mixed Use), “MX” (Mixed-Use Center), “D” (Downtown), “CM” (Commercial Mixed), “CH” (Commercial Heavy), “PI” (Public/Institution), “IL” (Industrial Light) or “IH” (Heavy Industrial) district:
  - a. Christmas tree sales.
  - b. Seasonal sale of farm produce.
  - c. Seasonal sale of landscape plantings, materials, and lawn and garden supplies (as accessory sales to a business with other commercial activities).
- (2) The operator of the temporary sales activity shall submit an **application** containing:
  - a. A description of the land proposed to be used.
  - b. A site plan showing setbacks, property lines and adjoining structures and the proposed location of the temporary sales and event.
  - c. A description of the proposed use.
  - d. Hours of operation.
  - e. Estimates of accumulated automobiles and persons per hour.
  - f. Proposed sanitary facilities.
  - g. Proposed parking facilities.
- (3) **Standards**
  - a. **Hours.** The temporary sales activity shall not be operated **after 12:00 midnight and before 8:00 a.m.**
  - b. **Setback from Residential Districts.** The temporary sales activity shall not be located closer than **100 feet** from property zoned “RS” or “RM”.
  - c. **Public Right-of-Way**
    1. The outdoor sale shall not obstruct any public right of way or utility easement, or reduce the clear width of any sidewalk to less than 4 feet.
    2. If any part of the temporary sales activity occurs on a public right of way, the a
  - d. **Sanitation.** The proposed site contain at least 1 temporary restroom facility per one hundred 100 estimated people in attendance per hour. However, no sanitation facilities are required for Christmas tree sales lots or seasonal sale of farm produce. This section does not supersede, and is subordinate to, any requirements of the State Sanitary Code.
- (4) **Term of Permit.** The maximum length of a temporary sales activity is provided below. The owner or operator may extend this time period by applying for a conditional use permit (see Art. 4).



Temporary Sales Activity	Maximum Duration
Christmas tree sales	60 days
Seasonal sale of farm produce	5 months
Seasonal sale of landscape plantings, materials, and lawn and garden supplies <i>(as accessory sales to a business with other commercial activities)</i>	4 months

### (c) Temporary construction yard

- (1) **Applicability.** This subsection applies to any temporary construction yard. A “temporary construction yard” is a temporary area used to store construction materials, supplies, equipment, tools, stock piling and recycling of useable construction materials and other permitted items, including temporary storage containers, construction trailers and temporary office trailers and located on the same lot with building activity.
- (2) **Establishment.** Proposed construction yards shall be associated to a specific project with an approved building permit issued for grading, construction, remodel and/or demolition.
- (3) **Supervision.** Construction yards shall be supervised by a contractor, who shall enforce compliance with these standards. The contractor is responsible for compliance of the construction yard with all applicable codes. The contractor shall designate to the Administrator a project contact person responsible/authorized to correct problems regarding the project on a 24-hour/7-days a week basis. This shall occur prior to issuance of a grading permit for the project.
- (4) **Removal.** Construction yards shall be removed prior to a final inspection of the last building in a non-residential project and for the last structure in a residential project or final approval for the project.
- (5) **Access.** The contractor shall provide curb cuts for all egress / ingress areas onto a paved street.
- (6) **Surfacing.** To prevent mud / dirt from transferring from trucks, vehicles and equipment onto the paved street, the contractor shall install pavement or a surface treatment at all egress / ingress points from the yard at least 50 feet to the street access.
- (7) **Alternative Off-Site Location.** For a project site with physical constraints, the Administrator may approve an alternative off site property for a construction yard. The contractor shall reclaim the alternative off site property to its original condition prior to final inspection / issuance of a certificate of occupancy for the associated project. Site reclamation may include site clean-up and/or revegetation with temporary irrigation. Bonding may also be required to verify revegetation within three (3) years.

### (d) Temporary Offices at Construction Sites

- (1) Temporary offices for construction may be used on the site of a construction project, if they are removed upon completion of the project.
- (2) In the “RS” district, any temporary offices may only be located in a model home and must cease upon the issuance of a certificate of occupancy for –

- a. The last residential dwelling unit for the subdivision or project, or
  - b. In the case of a subdivision or project for which approval has been given for phased development, for the last dwelling unit for that phase.
- (3) Temporary construction trailers may be used for temporary construction offices, but only until a model home is completed. These trailers shall only be used by the contractor and subcontractors, and shall not be used as a real estate sales trailer. All trailers shall be removed when the model home is completed and ready for use.
- (e) Portable Storage Containers.** Portable storage containers for temporary on-site storage shall comply with the following:
- (1) Up to 2 portable storage containers may be located in the “RS” or “RM” districts, if the container is placed on the drive or personal parking area and does not obstruct any public right-of-way or interfere with any vehicular or pedestrian circulation.
  - (2) Portable storage containers shall not be used as permanent accessory structures in any residential district.
  - (3) Portable storage containers are allowed for up to 60 days in a calendar year and on no more than 2 separate occurrences. The Administrator may grant additional time if needed to avoid hardship, and if the applicant has no other alternative for storage.
- (f) Garage or Yard Sales**
- A garage or yard sale in a residential district is permitted subject to the following conditions:
- (1) The sale may not exceed 72 hours and may not occur in the same location more than twice in any 6-month period.
  - (2) The sale or advertisement for the sale shall not occupy any public property or right-of-way or obstruct the passage of pedestrians or vehicles on any public sidewalk or street.

## 89-93 Truck Stop

⇔ *Use Category (§ 89-21 Use Table): Commercial / Mixed Use – Vehicles/equipment – Truck stop*

- (a) Applicability.** This section applies to any truck stop in the City of Lafayette.
- (b) Location.** The property on which a truck stop is located must have frontage on or within 1,000 feet of Interstate 10 or Interstate 49 or their service roads.
- (c) Site Design.** Truck stops must provide the following at the site:
  - (1) Minimum lot area is 5 acres.
  - (2) Parking must be provided for at least for 10 trucks.
  - (3) Required amenities include –

- a. A minimum 50-seat restaurant.
- b. Showers.
- c. Scales to weigh trucks.

## 89-94 Wireless Communications

⇔ *Use Category (§ 89-21 Use Table): Infrastructure – Communications facilities*

- (a) This ordinance governs only communication antennae located on lands used residentially and does not impose any regulations on commercially used antennae.
- (b) This ordinance shall not apply to those communication antennae in place or operational on or before the effective date of this ordinance. Any subsequent relocation of the communication antennae or support(s) shall be in compliance with this ordinance. Additions or reductions in the height of communication antennae shall not be governed by this ordinance.
  - (1) A communication antenna may be located in the front yard on presentation of an affidavit that, in order to utilize the communication antenna correctly, its geographical location must be in the front yard; or, upon presentation of an affidavit that the cost of locating the communication antenna in the side or rear yard, because of geographical considerations, would exceed ten percent of the cost of the communication antenna.
  - (2) Communication antennae shall be allowed in the rear and side yards provided the construction is no closer than the front sill of the main dwelling to the front lot line. No portion of any antennae (excluding wires, cables, etc. necessary for support, which may be located to the rear and side property lines) shall be located closer than three feet to any lot line. Guy wires and anchors may be located in front yards.
  - (3) In addition, on corner lots, no communication antennae shall be located closer than ten feet to the side street property line. No construction shall be allowed in the 30-foot sight triangle of a street intersection.